

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

FILED-ED4

01:44 PM 12/27/02

CLERK  
U.S. DISTRICT COURT

**DOCKETED**

DEC 02 2002

-----X  
**IN RE: AIMSTER COPYRIGHT  
LITIGATION**

**MASTER FILE  
No. 01 C 8933**

-----X  
**Judge:  
Marvin E. Aspen**

**This Document Relates To:**

**ZOMBA RECORDING 01 C 8940**

**ATLANTIC RECORDING 01 C 8941**

**JERRY LEIBER 01 C 8942**  
-----X

**PAID**  
RECEIPT # 1082876

NOV 27 2002

**MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT**

**NOTICE OF FILING - NOTICE OF APPEAL**

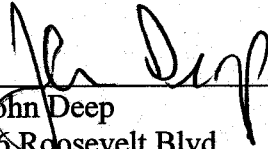
**TO: Counsel on Attached Service List**

**PLEASE TAKE NOTICE** that we have this day filed with the Clerk of the District Court the  
**Notice of Appeal**, a copy of which is attached hereto.

**Dated:** November 27, 2002

Michael P. Connelly  
William E. Snyder  
Connelly Roberts & McGivney LLC  
One North Franklin, Suite 1200  
Chicago, Illinois 60606  
(312) 251-9600

**Local counsel for defendants**

  
\_\_\_\_\_  
John Deep  
26 Roosevelt Blvd.  
Cohoes, NY 12047  
(518) 133-0225

**For Defendants John Deep,  
AbovePeer, Inc. and Buddy USA, Inc.**

i:\3290001.pld\nof.appeal.112502

62

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

FILED-ED4

02 NOV 27 PM 4: 10

CLERK  
U.S. DISTRICT COURT

**IN RE:            AIMSTER COPYRIGHT  
                     LITIGATION**

**MASTER FILE**  
**No. 01 C 8933**

# DOCKETED

DEC 02 2002

**Judge:**  
**Marvin E. Aspen**

**This Document Relates To:**

**ZOMBA RECORDING** **01 C 8940**

**ATLANTIC RECORDING** **01 C 8941**


**JERRY LEIBER** 01 C 8942

# NOTICE OF APPEAL

Notice is hereby given that John Deep, AbovePeer, Inc., and BuddyUSA, Inc., defendants in the above named case, hereby appeal to the United States Court of Appeals for the Seventh Circuit from the Preliminary Injunction Order entered by the district court in this action on October 30, 2002.

Dated: November 27, 2002

**Michael P. Connelly**  
**William E. Snyder**  
**Connelly Roberts & McGivney LLC**  
**One North Franklin, Suite 1200**  
**Chicago, Illinois 60606**  
**(312) 251-9600**

  
John Deep  
26 Roosevelt Blvd.  
Cohoes, NY 12047  
(518) 133-0225

## Local counsel for defendants

For Defendants John Deep,  
AbovePeer, Inc. and Buddy USA, Inc.

62

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**IN RE:            AIMSTER COPYRIGHT  
                     LITIGATION**

**MASTER FILE**  
**No. 01 C 8933**

**This Document Relates To:**

**Judge:**  
**Marvin E. Aspen,**  
**Chief Judge**

**ZOMBA RECORDING** **01 C 8940**

**ATLANTIC RECORDING** **01 C 8941**

**JERRY LEIBER** **01 C 8942**

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF ALBANY )

John Deep, being duly sworn, deposes and says: that I am over the age of 18 years; that on the 27th day of November, 2002, I served the documents entitled Notice of Appeal in the above-entitled matter upon all parties on the attached service list via facsimile and on the following individuals via facsimile and first-class mail:

**Floyd A. Mandell, Esq.**  
**Lee J. Eulgen, Esq.**  
**Bradley S. Rochlen, Esq.**  
**Katten Muchin Zavis**  
**525 West Monroe Street**  
**Chicago, Illinois 60661-3693**

H D

Signature of Sender

**FACSIMILE TRANSMISSION COVER SHEET**

DATE: November 27, 2002

FROM:

TO: KATTEN MUCHIN ZAVIS  
ATTN: LEE J. EULGEN, ESQ.  
FLOYD A. MANDELL, ESQ.  
BRADLEY S. ROCHLEN, ESQ.  
FAX: (312) 902-1061

TO: PAUL, WEISS, RIFKIND, WHARTON & GARRISON  
ATTN: CAREY RAMOS, ESQ.  
AIDAN SYNOTT, ESQ.  
THEODORE K. CHENG, ESQ.  
FAX: (212) 757-3990

TO: WILLIAMS & CONNOLLY LLP  
ATTN: DAVID E. KENDALL, ESQ.  
THOMAS G. HENTOFF, ESQ.  
FAX: (202) 434-5029

TO: CRAVATH, SWAINE & MOORE  
ATTN: KATHERINE B. FORREST, ESQ.  
KAREN KING, ESQ.  
FAX: (212) 474-3700

TO: NEAL & HARWELL  
ATTN: AUBREY B. HARWELL, ESQ.  
MARC T. MCNAMEE, ESQ.  
FAX: (615) 726-0573

TO: MITCHELL SILBERBERG & KNUPP  
ATTN: RUSSELL J. FRACKMAN  
KARIN PAGNANELLI, ESQ.  
FAX: (310) 312-3100

TO: PROSKAUER ROSE LLP  
ATTN: LEON P. GOLD, ESQ.  
FAX: (212) 969-2900

TO: ROEMER WALLENS MINEAUX  
ATTN: MATTHEW J. KELLEY, ESQ.  
FAX: (518) 464-1010

TO: KAREN L. STETSON  
FAX: (305) 604-0598

TO: RECORDING INDUSTRY ASSOCIATION OF  
AMERICA, INC.  
ATTN: MATTHEW OPPENHEIM, ESQ.  
STANLEY PIERRE-LOUIS, ESQ.  
FAX: (202) 775-7253

---

MESSAGE: